

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
 : NOTICE OF MOTION
-against- :
 : 15 CR 607 (WHP)
JAMES CAPERS, :
 Defendant, :
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PLEASE TAKE NOTICE, that the defendant James Capers, by his attorneys, Andrew G. Patel and Esere Onaodowan, and upon the annexed declaration and all papers and proceedings in this case, moves the Court, before the Honorable William H. Pauley, in the United States District Court for the Southern District of New York, for Orders:

- A. Suppressing identification evidence, pursuant to Rule 12(b)(3)(c) of the Federal Rules of Criminal Procedure on the grounds that such evidence was obtained in violation of Mr. Capers' right to Due Process of law;
- B. Permitting Mr. Capers to join motions filed by the co-defendants in this matter.
- C. Any such other and further relief as this Court deems appropriate.

Dated: New York, New York
July 6, 2016

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To: All Counsel via ECF